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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,786	03/04/2004	Hirofumi Oda	0033-0918P	5328

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EXAMINER
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HENN, TIMOTHY J

ART UNIT	PAPER NUMBER
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2622

NOTIFICATION DATE	DELIVERY MODE
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11/28/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/791,786	<b>Applicant(s)</b> ODA ET AL.	
	<b>Examiner</b> Timothy J. Henn	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6,9 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,9 and 12-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-6, 9 and 12-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 9 and 12--20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (US 7,283,854) in view of Iida (JP 2003-051872).

#### **[claim 1]**

Sato discloses an image pickup device (Figure 1), comprising: a main body including a first body having a first surface and a second body having a second surface (Figure 1); a camera for taking a picture (Figure 1, Item 8 or 10); and a display device displaying a picture taken from the perspective of the camera and arranged at the first surface of the first body (Figure 1, Item 7 or 11; c. 4, ll. 66-67). However Sato does not disclose affixing a camera as claimed.

Iida discloses an image pick-up device comprising: a main body including a first body having a first surface and a second body having a second surface (Figure 6, 10L and 10R); a camera located on the second surface for taking a picture (Figure 6, Item

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2R); and a display device arranged at the first surface of the first body on the same side as the camera (Figure 6, Item 3); wherein the camera is fixed to the main body such that an optical axis of the camera extends in a direction different from a direction perpendicular to a display surface of the display device and the optical axis of the camera extends in a direction different from a direction perpendicular to the second surface (Figure 7). The device of Iida allows for first and second cameras which are rotatable so that the image capture direction is changeable and allows for capture of stereoscopic images (Abstract). Therefore, it would be obvious to mount first and a second cameras on the device of Sato to allow for the capture of stereoscopic images.

**[claim 2]**

Regarding claim 2, Iida discloses arranging a camera on one of vertically opposite sides and inclining the camera towards the other side (Figure 7).

**[claim 3]**

Regarding claim 3, Sato discloses a display including first and second lateral sides. Since there is no plane of reference in the claim, it is noted that the left and right sides in Figure 5 may be considered "lateral" sides on which the camera is mounted and inclined toward and opposite side (Figures 4 and 7 show the inclination).

**[claim 4]**

Regarding claim 4, Sato in view of Iida discloses a display device which is a main display device arranged on one of opposite surfaces of the main body (Sato; Figure 1, Item 7 or 11), a sub-display portion arranged on the other surface of the main body (Sato; Figure 1, Item 11 or 7), wherein the camera and main display portion are

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arranged on opposite surfaces of the main body (Iida, Figure 6; note display arranged on top side and camera arranged on bottom side).

**[claim 5]**

Regarding claim 5, see claim 4 above and note that either display 7 or 11 may be considered the sub-display device.

**[claim 6]**

Regarding claim 6, Sato discloses first and second bodies which are foldably coupled together (Figure 1).

**[claim 9]**

Regarding claim 9, Iida discloses an additional camera arranged on the main body, the additional camera arranged on the first body (Figure 6, Item 2L).

**[claim 12]**

Regarding claim 12, Iida discloses first and second cameras with changeable optical axis. Iida shows an arrangement in Figure 6(c) where a first camera (i.e. the additional camera) has a display axis perpendicular to the display surface and a second camera which has an optical axis different from a direction perpendicular to the display surface of the display device.

**[claim 13]**

Regarding claim 13, Iida discloses first and second cameras arranged on the same side of the first body (Figure 6(a)).

**[claim 14]**

Regarding claim 14, Sato in view of Iida discloses arranging a camera on one of

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a vertically opposite side and inclining it towards an opposite side. However, Sato in view of Iida does not disclose arranging an additional camera on a laterally opposite side as claimed. Since the camera may only be arranged on a vertical side or a lateral side, it would be obvious to try arranging the additional camera on a laterally opposite side since such an arrangement could be easily done by one of ordinary skill in the art and the arrangement would yield no more than predictable results.

**[claim 15]**

Regarding claim 15, see claim 1 above and note that the display device and camera of Sato in view of Iida are located on a first side as claimed (Figure 6(a)).

**[claim 16]**

Regarding claim 16, see claim 2 above.

**[claim 17]**

Regarding claim 17, Sato discloses a display including first and second lateral sides. Since there is no plane of reference in the claim, it is noted that the left and right sides in Figure 5 may be considered "lateral" sides on which the camera is mounted and inclined toward and opposite side (Figures 4 and 7 show the inclination).

**[claim 18]**

Regarding claim 18, Sato discloses a second display on a second side of the main body (Figure 1, Item 11 or 7).

**[claims 19 and 20]**

Regarding claims 19 and 20, see claims 4 and 5 above.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

i. Jeong et al. US 2004/0080667

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 11-7.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Timothy J Henn/

Examiner, Temporary Full Signatory Authority, Art Unit 2622